



United States  
Department of  
Agriculture

Forest  
Service

Washington  
Office

1400 Independence Avenue, SW  
Washington, DC 20250

File Code: 6540

Date: July 19, 2005

Route To:

Subject: Payments to States--Title II Project Categories

To: Regional Foresters

As we implement the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106-393) some questions have arisen regarding projects eligible for funding under Title II of the Act.

The question is whether Title II funds may be used for the new construction of facilities and infrastructure. Under Section 203(c) of the Act, Title II funds may be used for projects that are consistent with Section 2(b) of the Act. Section 2(b) contains the purposes of the Act. Section 2(b)(2) describes the types of projects that the Act is intended to achieve as follows:

(2) To make additional investments in, and create additional employment opportunities through, projects that improve the *maintenance of existing infrastructure*, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality. Such projects shall enjoy broad-based support with objectives that may include, but are not limited to:

- (A) Road, trail, and infrastructure maintenance or obliteration;
- (B) Soil productivity improvement;
- (C) Improvements in forest ecosystem health;
- (D) Watershed restoration and maintenance;
- (E) Restoration, maintenance, and improvement of wildlife and fish habitat;
- (F) Control of noxious and exotic weeds; and
- (G) Reestablishment of native species (emphasis added).

Additionally, the Forest Service may approve a Title II project recommended by a Resource Advisory Committee only if the project meets several conditions contained in Section 204(a), including:

(5) The project will improve the *maintenance of existing infrastructure*, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality (emphasis added).

Construction of new infrastructure using Title II funds is not authorized, unless it meets one of the other purposes listed in the Act. Please ensure that your Forest Supervisors and District Rangers are aware of this important distinction.

I want to take this opportunity to thank you and your staffs for the excellent job you have done in working with your affected communities in implementing this important legislation. In forwarding this letter, please also pass along my gratitude to your Forest Supervisors.



For additional information on implementation of Public Law 106-393, contact Linda Brett of the Washington Office Policy Analysis staff at (202) 205-3611 or via e-mail ([lbrett@fs.fed.us](mailto:lbrett@fs.fed.us)).

/s/ Dale N. Bosworth  
DALE N. BOSWORTH  
Chief

cc:  
Deputy Chiefs  
Associate Chiefs  
Station Directors  
Area Director